

UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America

v.

Erik Alves-Ferreira (Defendant #1)

Case No. 3:19-mj-9337-ATB

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 7, 2019 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:

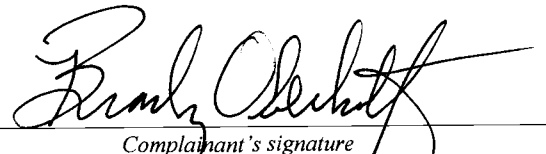
Code Section

18 U.S.C 371

Offense Description

Two or more persons conspire to commit any offense against the United States, to defraud the United States, or any agency, in any manner or for any purpose.

This criminal complaint is based on these facts:

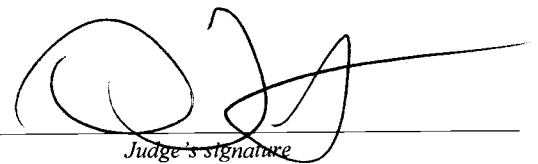
☒ Continued on the attached sheet.


Complainant's signature

Brady Oberholtzer, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/12/2019City and state: El Paso, Texas


Judge's signature

Anne T. Berton, U.S. Magistrate Judge

Printed name and title

Affidavit

1. On or about November 7, 2019, three Brazilian nationals claiming to be Erik ALVES-FERREIRA (ALVES-FERREIRA) and Camilla STEFANINY-SANTOS (STEFANINY-SANTOS) and their 5 year old Brazilian male child, were encountered by Border Patrol Agents in the El Paso, Texas area of responsibility, end of the fence by the West Bridge. The location at which ALVES-FERREIRA and STEFANINY-SANTOS entered the United States has not been designated as an official port of entry by an Immigration Officer of the United States. All three subjects presented themselves to Border Patrol Agents as a family unit.

2. During processing, ALVES-FERREIRA told Border Patrol he was not the biological father of the 5 year old, but was the step-father. STEFANINY-SANTOS told agents she was the biological mother. ALVES-FERREIRA and STEFANINY-SANTOS claimed to be legally married and they presented agents at intake a notarized common law marriage certificate to support their claim. The family was referred to HSI for verification of their marriage and documents.

3. A document inspection, conducted by a Homeland Security Investigations (HSI) Forensic Document Examiner, revealed that the common law marriage certificate obtained in Brazil was true and authentic.

4. HSI Special Agents and Border Patrol Agent interviewed both subjects. Post Miranda, and after being warned they would face additional charges if they lied or provided false statements, STEFANINY-SANTOS claimed ALVES-FERREIRA was her common law husband and they travelled from Vitoria, Espiritu Santo, to RIO de Janeiro, Brazil to Panama. From Panama they went to Mexico City and then to Ciudad Juarez via bus.

5. Agents again told STEFANINY-SANTOS of the consequences for lying to federal agents. STEFANINY-SANTOS then admitted that ALVES-FERREIRA was put with her and her son by the smuggler to cross together to facilitate their entry into the United States. She admitted they were not married as they had claimed to be and are not from the same town. STEFANINY-SANTOS said they met for the first time the day they went to the courthouse to get the marriage certificate.

6. STEFANINY-SANTOS said the plan was enacted about 2-3 months ago after her smuggler approached her.

7. HSI Agents spoke with ALVES-FERREIRA Post Miranda and after being warned of the consequences of lying and giving false statements to federal agents. ALVES-FERREIRA told agents he lived with his wife, STEFANINY-SANTOS in Minas GERAIS, Valadaris. He said he left Brazil on November 2, 2019 and met his wife in Vitoria because he was working there as an industrial mechanic. He said they all flew from Brazil to Panama, and from Panama to Mexico City. They then took a bus to Ciudad Juarez, Mexico which dropped them off at the border.

8. Agents asked ALVES-FERREIRA who he presented himself with to the Border Patrol. He said his wife and her 5 year old son. ALVES-FERREIRA presented his common law marriage certificate as proof of the relationship. ALVES-FERREIRA could not give correct dates to agents regarding details of when they met. Agents again warned ALVES-FERREIRA of the consequences of lying and giving false statements to federal agents.

9. ALVES-FERREIRA went on to confess to the entire scheme. Agents asked him if he was married to STEFANINY-SANTOS and he admitted he was not. ALVES-FERREIRA admitted they were put together by their smuggler. The smuggler coordinated the details of their trip while they were in Mexico. ALVES-FERREIRA told agents the smuggler advised them to

get the common law marriage certificate because it would allow them to be released into the United States. ALVES-FERREIRA said he and STEFANINY-SANTOS conspired with each other and the smugglers about 2-3 months ago to enact the plan to get to the United States.

10. ALVES-FERREIRA agreed to make a \$3000(USD) payment and \$12,000(USD) total to the smugglers to get to the United States. He said he knew what he was doing was illegal. ALVES-FERREIRA was asked if he posed as a family unit with STEFANINY-SANTOS alleged husband in order to be released by US Immigration and he nodded yes. ALVES-FERREIRA told agents their smuggler said it would be faster to come to the US as a family.